



66376-374

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	PATENT
	)	
Meinhard SCHWAIGER <i>et al.</i>	)	GROUP:
	)	
Serial No.: 10/564,826	)	EXAMINER:
	)	
Filed: January 24, 2006	)	CUSTOMER NO.: 25269
	)	
AN AIR-PERMEABLE MATTRESS	)	CONFIRMATION NO. 3227
PROVIDING GREAT LYING COMFORT	)	

SUBMISSION OF SUBSTITUTE DECLARATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

June 21, 2006

Sir:

Referring to the Notification of Missing Requirements, dated April 27, 2006 (copy attached), the inventors herewith submit a substitute executed Declaration.

The government filing fee (\$65.00) should be charged to Deposit Account 04-2223.

Respectfully submitted,

DYKEMA GOSSETT PLLC

By:

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05/27/2006 GFREY1 00000149 042223 10564826  
01 FC:2617 65.00 DA



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

066376-0374

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,826	Meinhard Schwaiger	366376-374

25269  
DYKEMA GOSSETT PLLC  
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RECEIVED

JUN 27 2006

DYKEMA GOSSETT

INTERNATIONAL APPLICATION NO.

PCT/AT04/00255

I.A. FILING DATE

07/14/2004

PRIORITY DATE

07/25/2003

CONFIRMATION NO. 3227

371 FORMALITIES LETTER



\*OC000000018623527\*

Missing Rec Due June 27, 2006

Date Mailed: 04/27/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/18/2006
- English Translation of the IA filed on 01/18/2006
- Copy of the International Search Report filed on 01/18/2006
- Preliminary Amendments filed on 01/18/2006
- Information Disclosure Statements filed on 01/18/2006
- Oath or Declaration filed on 01/18/2006
- U.S. Basic National Fees filed on 01/18/2006
- Assignment filed on 01/24/2006
- Priority Documents filed on 01/18/2006
- Power of Attorney filed on 01/24/2006
- Non-English Language Application filed on 01/18/2006
- Specification filed on 01/18/2006
- Claims filed on 01/18/2006
- Abstracts filed on 01/18/2006
- Drawings filed on 01/18/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

6/27/06  
10/27/06  
5/2/06

- does not identify the citizenship of each inventor.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

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#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/564,826	PCT/AT04/00255	366376-374